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EXAMINER

KESSLER, MATTHEW E

ART UNIT	PAPER NUMBER
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4121

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/787,328

Applicant(s)

HENDERSON ET AL.

Examiner

Matthew E. Kessler

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 February 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 2/26/2005, 7/21/2005.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-21 are pending
2. Claims 1-21 are rejected

Claim Rejections - 35 USC § 102

3. Claims 1-4, 6-10, 14-15, and 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Hackbarth et al. (Hackbarth, hereinafter) US Patent 7,107,312.

As to claim 1, Hackbarth teaches an apparatus for an automatic conferencing service, the apparatus comprising (The title of Hackbarth teaches an “Apparatus and method for use in a data/conference call system for automatically collecting participant information and providing all participants with that information for use in collaboration services”.):

a service logic execution environment in a telecommunications service network (Column 4 lines 41-44 teach “The SPSF 201, described above, is the Service Logic Execution Environment (SLEE) used in this implementation to set up calls and report on phone endpoint activity.”);and

automatic conferencing service running in the service logic execution environment (Fig.2 illustrates in a block diagram form the details of a system architecture employed in practicing an embodiment of the conferencing and collaboration services. Column 4, line 32 to column 6 line 62 teach the conferencing services running in the service logic execution environment as they relate to the SPSF. Specifically column 4 lines 56-59 teach “the DC-MeetingServer 210 is a

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commercial application which bridges calls so as to provide conferencing services including Chat session, Application sharing, Whiteboard and video conferencing services.”).

As to claim 2, Hackbarth teaches the apparatus of claim 1 (Hackbarth teaches all of the limitations of claim 1), wherein modules of the automatic conferencing service include a conference coordination service logic program (Column 5 lines 34-39 teaches “The user agent 203 is a WEB server (with associated servlet engine) with a number of servlets that process http requests. These servlets implement requests to set up connections (e.g. phone calls and conference calls)”. It is understood that by setting up requested connections in a conferencing system, that is the conference coordination service logic program).

As to claim 3, Hackbarth teaches the apparatus of claim 2 (Hackbarth teaches all of the limitations of claim 2), wherein the automatic conferencing service modules further include an HTTP interface (Column 5 lines 20-36 teaches an HTTP interface.).

As to claim 4, Hackbarth teaches the apparatus of claim 3 (Hackbarth teaches all of the limitations of claim 3), wherein the HTTP interface comprises an HTTP server plug-in module and an HTTP dispatcher module (Column 5 lines 20-36 describes the interaction of the user agent as using HTTP in conjunction to the SPSF. It is understood that the communication between the SPSF and the User Agent use a HTTP server plug-in module as well as a HTTP dispatcher module.).

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As to claim 6, Hackbarth teaches the apparatus of claim 2 (Hackbarth teaches all of the limitations of claim 2), wherein the automatic conferencing service modules further include a notification service logic program (Column 6 lines 18-39 teach that “a ConnectIcon View 215 is a virtual entity stating one user’s desire to connect to one or more other users.” It is understood that showing the desire to connect is a notification from one user to another. It is a notification service logic program that notifies one user’s request to another user.).

As to claim 7, Hackbarth teaches the apparatus of claim 2 (Hackbarth teaches all of the limitations of claim 2), wherein the automatic conferencing service modules further include a home location register service logic program (Column 6 lines 40-62 teaches “An OpenChannel View 217 provides a visual process for monitoring the status of a conference call. It indicates which participant is active and/or speaking, which participant has been active and/or speaking recently and enables the participants to change their level of participation...” It is understood that the OpenChannel View is acting as the home location register service logic program.).

As to claim 8, Hackbarth teaches the apparatus of claim 2 (Hackbarth teaches all of the limitations of claim 2), wherein the automatic conferencing service modules further include a billing service logic program (Column 4 line 67 teaches that the SPSF has billing functionality.).

As to claim 9, Hackbarth teaches a method of scheduling an automatic conference (The title of Hackbarth teaches an “Apparatus and method for use in a data/conference call system for automatically collecting participant information and providing all participants with that

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information for use in collaboration services”. The user making the request to start a conference is taught in column 20 lines 44-47), the method comprising:

reception of a conference request, including conference information specified by a user, by an automatic conferencing service running in a service logic execution environment within a telecommunications network (Hackbarth teaches in column 3 line 66 to column 4 line 9 that “the service framework 201 is a Service Logic Execution Environment that is responsible for responding to requests for service and initializing connections between endpoints. The SPFS SLEE is implemented as a set of Java classes running in a Java Virtual Machine.” Hackbarth teaches a request being received in column 20 lines 55-57 as “the conference server acknowledges reservation request.” Lastly the title teaches this is a telecommunications network as it states “Apparatus and method for use in a data/conference call system...”);

registration of the conference by the automatic conferencing service (Hackbarth teaches a request being received in column 20 lines 55-57 as “the conference server acknowledges reservation request.” By sending an acknowledgement for a reservation request it is understood that the conference is registered and the users are registered as well.); and

notification of attendees of the conference by the automatic conferencing service (Column 6 lines 18-39 teach that “a ConnectIcon View 215 is a virtual entity stating one user’s desire to connect to one or more other users.” It is understood that showing the desire to connect is a notification from one user to another. It is a notification service logic program that notifies one user’s request to another user.).

As to claim 10, Hackbarth teaches the method of claim 9 (Hackbarth teaches all of the limitations of claim 9), wherein a user specifies the conference information by way of a web page hosted by web server software on an applications server coupled to the telecommunication network (Column 5 lines 34-39 teach “The user agent 203 includes a WEB server (with associated servlet engine) with a number of servlets that process HTTP requests. These servlets implement requests to set up connections (e.g. phone calls and conference calls), get data from a calendaring application, get information from LDAP database 206 and set information in the LDAP database 206.” Specifically Column 6 lines 15-17 teach that a web portal which “enables contact to be made by members of the team using the Web interface to initiate email, chat sessions, person-to-person calls, conference calls or the like.”).

As to claim 14, Hackbarth teaches the method of claim 9 (Hackbarth teaches all of the limitations of claim 9) further comprising determination of an online status of a communication device of an attendee (Column 5 lines 6-10 teach that the “User Agent 203 is central to the provision of collaborative services. User Agent 203 is responsible for maintaining presence data, i.e., information, for the registered clients. It maintains lists of subscribers and notifies subscribers of changes in status.”).

As to claim 15, Hackbarth teaches the method of claim 14 (Hackbarth teaches all of the limitations of claim 14), wherein the online status determination is accomplished by way of a lookup to a home location register database (Column 5 lines 10-19 teach that “the User Agent 203 maintains a LDAP database 206 in which presence information is maintained for each

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individual registered with the system. It also supports Presence Clients that register with it. These clients include TeamPortal View 214, ConnectIcon View 215, and OpenChannel View 217.

Presence Clients are Java classes that run remotely and can both report changes in presence status and react to User Agent messages telling them that the Presence information has changed for a user they have defined as being in their awareness set.” It is interpreted that the LDAP database is a home location register database as they both store the status information of a user.).

As to claim 19, Hackbarth teaches the method of claim 9 (Hackbarth teaches all of the limitations of claim 9) further comprising accessing a directory by the automatic conferencing service to obtain a preference profile for an attendee (Column 5 lines 6-33 teach the “User Agent 203 is central to the provision of collaborative services. User Agent 203 is responsible for maintaining presence data, i.e., information, for the registered clients.” It is interpreted that storing information about the user is a preference profile for an attendee. Additionally column 5 lines 27-29 teach that “the User Agent 203 uses a LDAP database 206 to store the data, but direct access to the database is not necessary.” It is clear that this information is being accessed whether directly or indirectly.).

As to claim 20, Hackbarth teaches the method of claim 19 (Hackbarth teaches all of the limitations of claim 19), wherein the directory is accessed using a lightweight directory access protocol interface (Column 5 lines 27-29 teach that “the User Agent 203 uses a LDAP database 206 to store the data” and it is understood that the LDAP database would be accessed with a LDAP interface.).

As to claim 21, Hackbarth teaches a telecommunications system configured to schedule an automatic conference, the system comprising (The title states a method and system for conferencing and the technical field in column 1 lines 18-19 state that the invention relates to “communications services and, more particularly, to collaboration services.” Further, Fig. 1 shows “soft endpoints” which are disclosed to be telephones or the like.):

means for receiving a conference request, including conference information specified by a user, by an automatic conferencing service running in a service logic execution environment within a telecommunications network (Hackbarth teaches in column 3 line 66 to column 4 line 9 that “the service framework 201 is a Service Logic Execution Environment that is responsible for responding to requests for service and initializing connections between endpoints. The SPFS SLEE is implemented as a set of Java classes running in a Java Virtual Machine.” Hackbarth teaches a request being received in column 20 lines 55-57 as “the conference server acknowledges reservation request.” Lastly the title teaches this is a telecommunications network as it states “Apparatus and method for use in a data/conference call system...”);

and means for notifying attendees of the conference by the automatic conferencing service (Column 6 lines 18-39 teach that “a ConnectIcon View 215 is a virtual entity stating one user’s desire to connect to one or more other users.” It is understood that showing the desire to connect is a notification from one user to another. It is a notification service logic program that notifies one user’s request to another user. The means for the “ConnectIcon View” is taught in column 17 lines 43-44 “FIG. 11 shows a frame of a browser running TeamPortal View 214 and

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the ConnectIcon View 215.” The browser in conjunction with the web servers supports the ConnectIcon View to notify.).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

4. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hackbarth as applied to claim 2 in further view of Celi Joseph et al. US Patent Application Number 2003/0091027 (hereinafter Celi).

Hackbarth teaches all of the limitations of the apparatus of claim 2, but does not teach wherein the automatic conferencing service modules further include an extensible markup language parser.

However in an analogous art, Celi teaches wherein the automatic conferencing service modules further include an extensible markup language parser (Paragraph [0004] teaches the use of the Voice Extensible Markup Language in a communications network to facilitate user interaction with various speech-enabled services. It is understood that using a Voice Extensible Markup Language is an extensible markup language and that it would inherently have a parser for the language in order to utilize its functionality.).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hackbarth's apparatus with the extensible markup language parser. One would be motivated to combine Celi's teaching with Hackbarth's apparatus because as it states in paragraph [0004] that "VoiceXML brings the advantages of Web-based development and content delivery to interactive voice response applications."

5. Claim 11 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hackbarth as applied to claim 10 in further view of Richomme US Patent Application Number 2003/0235279 (hereinafter Richomme).

Hackbarth teaches all of the limitations of the method of claim 10, and wherein the conference information includes time and attendee information (Column 5 lines 34-40 teach the requests to set up connections and mentions calendar and LDAP information. It is understood that calendar information is time and the LDAP database stores the information about the

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attendees.), but does not teach wherein extensible markup language is used to communicate the conference information from the applications server to the automatic conferencing service.

However in an analogous art, Richomme teaches wherein extensible markup language is used to communicate the conference information from the applications server to the automatic conferencing service (Paragraph [0011] teaches “The monitoring information is first transmitted to the conference server. At the conference server the monitoring information is adjusted so that this information can be sent in the form of a programming language code which is executable by the participants' Web terminal devices. For example, the monitoring information may be encoded in JavaScript, HTTP, or XML (extended markup language) as many a browser can execute JavaScript code or XML code.”).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hackbarth's method of claim 10 with conference information including time and attendee information with Richomme's method of using XML because as Richomme states “By allowing for different alternatives for processing information one can account for the respective encoding requirements of the software implemented in the individual Web terminal devices.” Richomme even suggests “For example, the monitoring information may be encoded in JavaScript, HTTP, or XML (extended markup language) as many a browser can execute JavaScript code or XML code.”

6. Claim 12 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hackbarth as applied to claim 9 in further view of Haimovich et al. US Patent Application Number 2005/0031110 (hereinafter Haimovich).

Hackbarth teaches all of the limitations of the method of claim 9, but does not teach wherein a user specifies the conference information using a phone to access an interactive voice response interface to the automatic conferencing service.

However in an analogous art, Haimovich teaches wherein a user specifies the conference information using a phone to access an interactive voice response interface to the automatic conferencing service (Paragraph [0020] teaches “A telecommunications carrier, having the capability of providing a conference call service, links the regular telephone number or a specifically assigned telephone number of a subscriber utilizing a communication station (i.e., a telephone instrument), and who is desirous of the conference call service, to a subscriber-specific conference call box. The conference call box is a data structure implemented in a conference call database within the telecommunications carrier's network designed to store operational information functional in the setting up and the establishment of a conference call. Dialing the regular telephone number or dialing a specifically coded dialing sequence will affect the performance of a pre-defined procedure comprising a variable sequence of functional steps by the network before the network could establish a functional connection. The functional sequence of steps is performed in order to offer the caller a selection of an option out of several pre-defined options associated with the telephone number representing the called communications station. The network sequence is implemented by the utilization of a set of specifically developed software programs, supported by an Interactive Voice Response (IVR) interface, by suitable data structures, and by appropriate Application Specific Integrated Circuits (ASICs).” It is understood that through the “IVR”, the user selects the “operation information functional in setting up and establishing of a conference call”).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hackbarth's method of claim 9 with Haimovich's method where a user specifies the conference information using a phone to access an interactive voice response interface to the automatic conferencing service because as Haimovich states in paragraph [0045] the advantages of the method of the present invention "will affect significant savings in time, expenses, and organizational effort." This would be accomplished as it leverages existing telephonic communication systems currently employed.

7. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Hackbarth as applied to claim 9 in further view of Sato et al. US Patent Application Number 2003/0055893 (hereinafter Sato).

Hackbarth teaches all of the limitations of the method of claim 9, but does not teach further comprising setting timers for the conference by the automatic conferencing service.

However in an analogous art, Sato teaches further comprising setting timers for the conference by the automatic conferencing service (Paragraph [0045] teaches "FIGS. 11A and 11B are flowcharts for automatically holding a conference at the time specified by electronic mail sent by the parameter management unit 72 and the time management unit 74 installed to the collaboration system 60 shown in FIG. 5." Additionally paragraph [0045] teaches "By activation of the timer by setting of the conference starting time as described above, at the step S105, the notification event takes place from the timer when the specified time comes, and the collaboration system 60-2 that received the notification of the conference starting time from the

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timer at the step S106 starts connecting to the received IP address, so that a conference can automatically begin at the specified time.”).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hackbarth’s method of claim 9 with Sato’s setting of timers for the conference because Sato gives the reason for setting the timers is “so that a conference can automatically begin at the specified time.”

8. Claims 16-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hackbarth as applied to claim 9 in further view of Matus et al. US Patent Application Number 2004/0010549 (hereinafter Matus).

As to claim 16, Hackbarth teaches all of the limitations of claim 9, but does not teach wherein an attendee is notified by way of electronic mail.

However in an analogous art, Matus teaches wherein an attendee is notified by way of electronic mail (Paragraph [0012] teaches “the system can also send a text message, such as for example via SMS, MMS, email, or instant messenger, to notify participants of an impending phone call or to request that they call a specific number or take another specific action.”).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hackbarth’s method of automatic conferencing with notification with Matus’s method of notification through email because as Matus states “the present invention allows a user to easily configure conference calls via a wireless device.” Notification is a part of the automatic conferencing system and notifying someone by a method which they list several

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alternatives would be an obvious improvement to the already present notification presented by Hackbarth's method and system.

As to claim 17, Hackbarth teaches all of the limitations of claim 9, but does not teach wherein an attendee is notified by way of an SMS message.

However in an analogous art, Matus teaches wherein an attendee is notified by way of an SMS message (Paragraph [0012] teaches "the system can also send a text message, such as for example via SMS, MMS, email, or instant messenger, to notify participants of an impending phone call or to request that they call a specific number or take another specific action.").

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hackbarth's method of automatic conferencing with notification with Matus's method of notification through an SMS message because as Matus states "the present invention allows a user to easily configure conference calls via a wireless device." Notification is a part of the automatic conferencing system and notifying someone by a method which they list several alternatives would be an obvious improvement to the already present notification presented by Hackbarth's method and system.

As to claim 18, Hackbarth teaches all of the limitations of claim 9, but does not teach wherein an attendee is notified by way of an instant message.

However in an analogous art, Matus teaches wherein an attendee is notified by way of an instant message (Paragraph [0012] teaches "the system can also send a text message, such as for

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example via SMS, MMS, email, or instant messenger, to notify participants of an impending phone call or to request that they call a specific number or take another specific action.”).

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to combine Hackbarth’s method of automatic conferencing with notification with Matus’s method of notification through an instant message because as Matus states “the present invention allows a user to easily configure conference calls via a wireless device.” Notification is a part of the automatic conferencing system and notifying someone by a method which they list several alternatives would be an obvious improvement to the already present notification presented by Hackbarth’s method and system.

Conclusion


9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: Yunoki US Patent Number 5408518.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Kessler whose telephone number is (571) 270-5005. The examiner can normally be reached on Monday through Friday 7:30 am - 5:00 pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, Taghi Arani can be reached on (571)272-3787. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.


TAGHI ARANI
PRIMARY EXAMINER

10/25/07